

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

DARRIN MYLES HARTLEY,

Defendants.

CASE NO. CR20-0152-JCC

ORDER

This matter comes before the Court on Defendant's unopposed motion to continue trial (Dkt. No. 23). Defendant is charged by Indictment with Possession of Controlled Substances with Intent to Distribute. (Dkt. No. 9.) Trial is scheduled for September 7, 2021. (Dkt. No. 22.) Defendant moves to continue trial to January 10, 2022. (Dkt. No. 23 at 1.) He indicates that additional time is necessary to fulfill and review outstanding public records requests, produce and review additional discovery from the Government, and complete certain dental procedures. (*Id.* at 1–2.) Defendant argues that it would be prejudicial to go to trial before the dental procedures are complete because, at present, it is difficult for him to effectively communicate and he is on an all-liquid diet. (*Id.* at 2.)

Having thoroughly considered the motion and the relevant record, the Court FINDS that the ends of justice served by granting a continuance outweigh Defendant and the public's interest in a speedy trial. *See* 18 U.S.C. § 3161(h)(7)(A). Specifically, taking into account the exercise of

1 due diligence, the failure to grant a continuance would deny Defendant's counsel reasonable time
2 necessary for effective preparation, *see* 18 U.S.C. § 3161(h)(7)(B)(iv), and would therefore result
3 in a miscarriage of justice, *see* 18 U.S.C. § 3161(h)(7)(B)(i). Moreover, the case is sufficiently
4 complex such that it is unreasonable to expect adequate preparation within the current time limits
5 specified within the meaning of 18 U.S.C. § 3161(h)(7)(B)(ii).

6 Accordingly, the Court GRANTS Defendant's motion (Dkt. No. 23) and ORDERS:

- 7 1. The September 7, 2021 jury trial is CONTINUED until January 10, 2022.
8 2. The pretrial motions deadline is CONTINUED until December 13, 2021.
9 3. The period from the date of this order until January 10, 2022 is an excludable time
10 period under 18 U.S.C. § 3161(h)(7)(A).

11 DATED this 6th day of August 2021.

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15 John C. Coughenour
16 UNITED STATES DISTRICT JUDGE
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